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REMARKS

Claims 1-22 are currently pending in the subject application and are presently under consideration. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments herein.

I. Rejection of Claims 1-22 Under 35 U.S.C. §102(b)

Claims 1-22 stand rejected under 35 U.S.C. §102(b) as being anticipated by Sarkar (US 6,012,067). Withdrawal of this rejection is respectfully requested for at least the following reasons. Sarkar does not teach or suggest each and every feature recited in the subject claims.

“A claim is anticipated only if *each and every element* as set forth in the claim is found, either expressly or inherently described in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). Emphasis added. “*The identical invention must be shown in as complete detail as is contained in the...claim.*” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Independent claims 1, 8, and 14

The claimed subject matter relates to application development in a design time environment and/or discovering the design time attributes of a component and simulating how a component behaves at run time without the need to reconstruct (*e.g.*, recompile) the component. In particular, independent claim 1 (and similarly independent claims 8 and 14) recites, “a development tool that facilitates *application development in a design time environment and reports at least one of simulated run time and compile time information based upon design time attributes and a type descriptor* that ... provides information associated with an instance of the software component to *the development tool.*” Sarkar does not disclose or suggest these novel features.

Rather, Sarkar relates to a multi-tier client/server architecture, wherein the first tier is a web browser on the client side (*see* Fig. 1; col. 6, ll. 55-56), with business logic (second tier) and a relational database (third tier) on the server side (*see* Fig. 1; col. 7, ll. 1-3). Sarkar puts the business logic inside the relational database, thereby eliminating the middle tier. (See col. 7, ll.

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5-9; col. 10, ll. 30-45). Sarkar employs the native abilities of URLs that can access web objects, as well as the native abilities of relational database server links for remote distributed databases and object pointers to reference any kind of object within the relational database (which now includes business logic). (See col. 5, ll. 19-35). Thus, a mechanism is employed to manipulate objects in relational databases over the internet. (See col. 5, ll. 11-14). This mechanism is an SQL query or an ORB request carrying the SQL query (see Abstract; col. 5, ll. 58-65; col. 7, ll. 3-5; col. 10, ll. 35-38) that can address (e.g., represent) objects over the internet *via* URL's, and the SQL query manipulates objects when the SQL query is *executed*, which occurs at run-time. (See col. 5, ll. 65-68; col. 7, ll. 3-5). However, Sarkar is devoid of any teaching of manipulating objects in *a design time environment*. Further, the types of objects Sarkar can manipulate include web objects and business objects. Web objects include text, images, audio, video, and HTML pages. (See col. 5, line 17; col. 5, ll. 21-22; col. 2, ll. 34-35; col. 10, ll. 54-55). Business object include results of queries across distributed relational database with business application logic applied to those results, CORBA objects and other objects within a relational database such as tables. (See col. 5, ll. 14-17; col. 2, ll. 32-33; col. 5, ll. 25-26).

Thus, Sarkar provides a mechanism (*i.e.*, SQL query) for representing (*i.e.*, access *via* a URL) and manipulating objects (*i.e.* web objects or relational data) in relational databases over the internet in a run-time environment (*e.g.*, as the SQL query is executed). At page 3 of the Advisory Action (dated March 10, 2006), the Examiner broadly interprets the phrase recited in Sarkar "a mechanism for representing and manipulating objects in relational databases" as anticipatory of the subject claims which recite, "*a development tool that facilitates application development in a design time environment*." The Examiner substitutes several words of the aforementioned phrase in Sarkar for words in the claims, and incorrectly concludes that the claims are anticipated by virtue of giving the claims "their broadest reasonable interpretation consistent with the specification." *In re Hyatt*, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000). However, the Examiner is not attempting to give a reasonable interpretation of the *pending claims*, but rather, suggesting a different scope of the words in a single phrase of the *cited art*, and, moreover, the scope suggested by the Examiner for the phrase in Sarkar is not in any manner consistent with the teachings of Sarkar. For example, the Examiner suggests that "a mechanism" can be read as "a development tool" ostensibly because the Examiner reasons that "a development tool" could also be named "a mechanism," irrespective of the fact that what is

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described as “a mechanism” in Sarkar is not remotely similar to “a development tool” of the subject claims. The Examiner is employing a single phrase and very little else from Sarkar, taken dramatically out of the context and scope of the reference, in order to reject the subject claims. To that end, the Examiner suggests that “a mechanism” is “a development tool”; that “objects” are “applications”; that “manipulating objects” is “application development”; and that “in relational databases” is equivalent to “a design time environment.”

In particular, as indicated in the column and line references above, Sarkar teaches that the mechanism described is an SQL query (that is able to address objects *via* URL's), and that this SQL query can manipulate objects in relational databases. An SQL query is not in any sense disclosed in Sarkar or known in the art as “*a development tool* that facilitates application development in a design time environment.” Similarly, objects in a relational database (*e.g.*, business objects such as relational data tables, records, and results; or web objects such as text, images, audio, and video) are not disclosed by Sarkar or known in the art to be applications, but rather are objects. In fact, Sarkar expressly discloses that there is no distinction between an *application* and a *server* (*see* col. 5, line 67 – col. 6, line 1; col. 10, ll. 33-35), but does distinguish between *servers* and *objects*. Hence, the Examiner's interpretation that objects are applications is summarily contradicted by the reference. Likewise, manipulating objects in a relational database is not disclosed by Sarkar or known in the art to be identical to *application development in a design time environment*. That is, manipulating, *e.g.*, data tables is not application development, relational databases are not design time environments for application development, and, moreover, the manipulating is a result of an SQL query that occurs as the query *executes*, which teaches manipulation of objects during run-time, not design time. Accordingly, despite the Examiner's assertions to the contrary, a mechanism (*i.e.*, SQL query) for representing (*i.e.*, access *via* a URL) and manipulating objects (*i.e.* web objects or relational data) in relational databases does not teach or suggest *a development tool that facilitates application development in a design time environment*.

Furthermore, Sarkar does not teach or suggest “a development tool that...reports at least one of *simulated run time* and *compile time* information based upon design time attributes.” The reference is silent with respect to reporting simulated run time and compile time information, let alone such information being based upon design time attributes of which Sarkar is also silent. The Examiner attempts to circumvent these limitations by suggesting that the word

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“representing” can be substituted by “simulating.” Such a substitution is inappropriate on its face because Sarkar discloses that objects can be accessed (*i.e.*, represented) over the internet *via* URL’s. Allowing an object to be accessed (represented) over the Internet is not simulating, and particularly not *simulated run time*. Therefore, the Examiner’s substitution is not within the scope or context of the teachings of the reference and such a representation is not appropriate. However, even if it were appropriate to substitute “simulating” for “representing,” simulating an object in a relational database is materially distinct from “*simulated run time* ... information based upon design time attributes.”

Moreover, at page 3 of the Final Office Action (dated November 2, 2005), the Examiner argues that the SQL query (*e.g.*, the “mechanism”) is the development tool, yet at page 4 the Examiner argues that the SQL query is the type descriptor, whereas the subject claims recite “*a type descriptor* that ... provides information ... to *the development tool*.” It is readily apparent that an SQL query is not capable of teaching or suggesting either a type descriptor or the development tool of the subject claims, let alone stand for both claimed aspects simultaneously. Sarkar does not teach or suggest an SQL query that provides information to the SQL query, and such an implication is erroneous.

For at least the foregoing reasons, Sarkar does not teach the identical invention in as complete detail as the subject claims, and this rejection of independent claims 1, 8, 14 as well as all claims that depend there from, should be withdrawn.

Independent claims 16, 18, and 21

The claimed subject matter further relates to a component based environment wherein static metadata can be compiled in a component and can then be dynamically adjusted to reflect modifications in design time. In accordance therewith, run time behavior of a component can be simulated based upon design time manipulations without recompiling the component. In particular, independent claim 16 (and similarly independent claims 18 and 21) recites, “*manipulating compile time information regarding the instance of the component...for simulating component behavior at one of a design time and a runtime*”. Sarkar does not disclose or suggest these novel features.

At page 8, the Final Office Action contends Sarkar discloses the aforementioned features at col. 5, ll. 11-14. However, the indicated portions simply recite, “*It is a primary objective of*

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the present invention to provide a mechanism for representing and manipulating heterogeneous objects in relational databases over the internet." As with the argument provided in connection with the rejection of independent claims 1, 8 and 14, the Examiner is again incorrectly construing a mechanism for representing objects over the internet as equivalent to *simulating component behavior at one of a design time and a runtime*. Furthermore, Sarkar is void of any teaching or suggestion of manipulating *compile time information regarding the instance of the component...for simulating component behavior at one of a design time and a runtime*. Accordingly, withdrawal of this rejection of independent claims 16, 18, and 21, as well as all associated dependent claims, is requested.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP192US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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